

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HUMPHREY O. UDDOH,

Plaintiff,

V.

SELECTIVE INSURANCE COMPANY
OF AMERICA et al.,

Defendants.

Civil Action No. 13-2719 (SRC)

OPINION & ORDER

CHESLER, District Judge

This matter comes before the Court following two filings in this case: 1) the motion (called a “motion for a protective order”) filed by Plaintiff Humphrey O. Uddoh (“Uddoh”) on February 8, 2018; and 2) the letter filed by Defendant Selective Insurance Company of America (“Selective”) on February 20, 2018, objecting to Plaintiff’s motion. For the reasons stated below, Plaintiff’s motion shall be stricken from the docket.

These filings follow the completion of briefing of Selective’s motion for summary judgment, and Uddoh’s cross-motion for summary judgment. Selective filed its reply brief on January 9, 2018. Roughly one month later, Uddoh filed the instant motion, seeking to strike both one of Selective’s expert reports, and Selective’s motion for summary judgment itself. Selective then filed the instant letter, objecting to Plaintiff’s February 8 motion as procedurally improper.

This Court has reviewed Uddoh's motion papers and agrees with Selective that this motion is procedurally improper. All of the contentions that Plaintiff has submitted should have been included in his opposition to Selective's motion for summary judgment. To the extent that

they were included in his opposition to the original motion, they will be considered. Any arguments regarding Selective's motion that were newly made in Uddoh's February submission will not be considered. Plaintiff had the opportunity to oppose Selective's motion, and he made use of that opportunity by filing a cross-motion. His subsequently filed motion is procedurally improper and will be stricken from the record.

For these reasons,

IT IS on this 22nd day of February, 2018, hereby

ORDERED that Plaintiff's motion for a protective order (Docket Entry No. 231) shall be stricken from the docket.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J